

B9

allowing the user to specify reproduction of the image as a series of images with different characteristics associated with a scrapbook page style;
creating the series of images responsive to the style;
selecting a set of scrapbook page assembly instructions responsive to the style;
printing the images and the instructions; and
allowing the user to use the images to assemble the scrapbook page in accordance with instructions.

REMARKS

In the Office Action mailed October 17, 2002, the Examiner noted that claims 1-24 were pending and rejected all claims. Claims 1, 4, 8, 10, 15, 18, 20 and 23 have been amended, claims 2, 7, 9, 16 and 19 have been canceled, new claim 25 has been added and, thus, in view of the forgoing claims 1, 3-6, 8, 10-15, 17, 18 and 20-25 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

The Office Action rejects all claims under 35 U.S.C. § 103 over various combinations of Huang, Attenberg and Morag.

Huang is directed to a system that uses a camera and software to produce a novel sketch or drawing. The sketch is then duplicated in large and small sizes and the large and small sketches can then be put on a substrate such as a sticker material.

Attenberg is directed to a photo kiosk that takes pictures and prints them on a separable sheet allowing the photographs to be separated from each other using serrations in the sheet.

Morag is directed to a system in which photographs are used to produce a photo album for a customer. In the system images are acquired. The system then creates instructions for the service provider. These instructions are in the form of layout instructions (where to place the photos in the album), label instructions for photograph labels, binding instructions etc. that are automatically produced by an algorithm. The images and instructions are then sent electronically to the service provider who will produce the album. The service provider automatically, via a computer-based system, follows the instructions to arrange the photo album.

An important aspect of the present invention is its entertainment value. Today, value is added to products by making them entertaining. In the present invention, the user, such as a mom creating a "scrapbook" (see claim 1) with her child, supplies a photograph which is

converted into a "photographic digital image" (see claim 1). The mom can then specify ("specifying" - claim 1) the types of creative images that are to be created for the scrapbook from the supplied image, such as a zoom, kaleidoscope, a layer print, etc. The system, based on the specification, creates ("forms" - claim 1) a series of images from the supplied image where each of the images has different characteristics. In the zoom example a series of images of progressively smaller sizes are created from the supplied image. The system also produces a set of "instructions" (see claim 1) that are designed to allow the user (mom and child in our example) to create or make ("making" - claim 1) the actual scrapbook page in the desired creative style. In the zoom case the instructions describe how to cut out a portion of each of the zoom images (only the birthday girl with the party hat and not the table in the background, for example), to stick the images on a page in a certain overlapping sequence, etc. These instructions along with the photographic images having the different characteristics are printed ("forming" - claim 1) on the same photographic print medium ("single photographic print medium" - claim 1) and supplied to the user (the mom and birthday girl in our example). That is, a single photographic print has both the images and the instructions for creating a scrapbook page. The user (the mom and the birthday girl in this example) then can follow the instructions ("allowing ... in accordance with the instructions" - claim 1) to assemble the scrap book by "manually" (see claim 1) cutting out the images and sticking them to the scrapbook page. Thus, the present invention provides a product that is unique (creative images and instructions for making a scrapbook on a single photographic print - claim 1) as well as entertaining (allowing the user to participate - claim 1). The other independent claims also emphasize the unique product and the entertainment value.

The prior art taken alone or in combination does not provide a system that produces such a product and will allow such participatory entertainment.

It is submitted that the invention of the independent claims distinguishes over the prior art and withdrawal of the rejection is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 3 calls for mirrored images as being used in creating the scrapbook page. Nothing in the prior art teaches or suggests such which enhances the user participatory experience and entertainment value. It is submitted that the dependent claims are independently patentable over the prior art.

New claim 25 also emphasizes the novel product and participatory entertainment value of the invention as discussed above. Nothing in the prior art teaches or suggests such. It is submitted that the new claim distinguishes over the prior art.

It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 05-0225.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 3/7/3

By: 
Randall Beckers
Registration No. 30,358

700 Eleventh Street, NW, Suite 500
Washington, D.C. 20001
(202) 434-1500

VERSION WITH MARKINGS TO SHOW CHANGES MADE**IN THE CLAIMS:**

Please CANCEL claims 2, 7, 9, 16, and 19.

Please AMEND the following claims:

1. (Twice Amended) A method of arranging a series of at least two visual images of different characteristics of the same image and fixing them to a page which is usable in a scrapbook, comprising:

[a)] using a photographic digital image to produce a series of digital images of the same image where each of the digital images of the same image have different characteristics specified by a user;

[b)] forming visual images of the series of different characteristics of images on a single photographic print medium;

forming a visual image of printed instructions for making the scrapbook on the single photographic print medium;

[c)] allowing the user to manually cut [cutting] out the series of different characteristics of visual images from the medium in accordance with the instructions; and

[d)] allowing the user to manually fix [fixing] the cut out different visual images on the page in accordance with the instructions which can be used in [a] the scrapbook.

4. (Twice Amended) A method of arranging a series of at least two visual images of different sizes of the same image and fixing them to a page which is usable in a scrapbook, comprising:

[a)] using a digital image to produce a series of digital images of the same image where each of the digital images of the same image has a different [sizes] size;

[b)] forming visual images of the series of different sizes of images on a single medium; forming a visual image of printed instructions for making the scrapbook on the single medium;

[c)] cutting out the series of different sizes of visual images from the medium; and

[d)] fixing the cut out different sizes of visual images on the page which can be used in [a]

the scrapbook.

8. (Twice Amended) A method of making a scrapbook page, comprising:

[a)] making a digital image of a desired subject;

[b)] forming two or more visual images of the desired subject digital image of different sizes of the same image on a single medium to be fixed to a page which can be used in a scrapbook;

forming a visual image of printed instructions for making the scrapbook on the single medium;

[c)] cutting out the series of images from the medium;

[d)] fixing the cut out images on the page which can be used in [a] the scrapbook; and

[e)] annotating the page with other information or pictures and inserting such page into [a] the scrapbook.

10. (Twice Amended) A method of arranging a series of images taken from a single image to be fixed to a page which is usable in a scrapbook, comprising:

[a)] using a digital image of the single image to produce a series of digital images of the same single image where each of the digital images of the same single image have different characteristics;

[b)] forming at least one visual image of the series of different characteristics of images on a single medium;

forming a visual image of printed instructions for making the scrapbook on the single photographic print medium;

[c)] cutting out the at least one visual image from the medium; and

[d)] fixing the cut out of at least one visual image on the page which can be used in [a] the scrapbook.

15. (Twice Amended) A method of arranging a series of images taken from a single image to be fixed to a page which is usable in a scrapbook, comprising:

[a)] providing a digital image of a single image;

[b)] following instructions for producing a series of digital images of a single same image where each of the digital images of the single same image have [having] different characteristics;

[b)] forming at least one visual image of the series of different characteristics of images on a single medium;

forming a visual image of printed instructions for making the scrapbook on the single medium;

[c)] cutting out the at least one visual image from the medium; and

d) fixing the cut out at least one visual image on the page which can be used in [a] the scrapbook.

18. (Twice Amended) A method of providing images and information to a user to permit the arrangement of a series of at least two pictures of different characteristics of the same image and fixing them to a page which is usable in a scrapbook, comprising:

[a)] using a digital image to produce a series of digital images of the same image where each of the digital images of the same image have different characteristics;

[b)] forming visual images of the series of different characteristics of images and instructions on a single medium;

forming a visual image of printed instructions for making the scrapbook on the single medium; and

[c)] printing the visual information and the instructions to facilitate a user cutting out the series of different characteristics of visual images from the medium and fixing them to a scrapbook page.

20. (Twice Amended) A method of permitting a user to arrange a series of at least two visual images of different characteristics formed from the same image and fixing them to a page which is usable in a scrapbook, comprising:

[a)] the user sending a digital image over a communication channel to a service provider with instructions to the service provider, such service provider using the digital image produces a series of digital images of the same image where each of the digital images of the same image have different characteristics in accordance with the instructions and sends such digital images series to the user;

[b)] the user using the series of digital images forms visual images of the series of different characteristics of images on a single medium;

forming a visual image of printed instructions for making the scrapbook on the single medium;

[c)] the user cutting out the series of different characteristics of visual images from the medium; and

[d)] the user fixing the cut out different visual images on the page which can be used in a scrapbook.

23. (Twice Amended) A method of making at least two images which can be used in a scrapbook, comprises:

[a)] providing at least one portion of at least one digital image provided by a user;

[b)] modifying the at least one digital image to provide a modified digital image of the same image;

[c)] providing instructions in a digital format containing information for assembling said at least one user supplied digital image; and

[d)] producing visual images from the at least one digital image, the modified digital image and the instructions on at least one single medium so that the visual images can be assembled in a scrapbook.

Please ADD the following claim:

25 (New) A method of allowing a user to create a scrapbook page, comprising:
allowing the user to supply an image for the scrapbook;
allowing the user to specify reproduction of the image as a series of images with different characteristics associated with a scrapbook page style;
creating the series of images responsive to the style;
selecting a set of scrapbook page assembly instructions responsive to the style;
printing the images and the instructions; and
allowing the user to use the images to assemble the scrapbook page in accordance with instructions.